

TYPE II LAND DIVISION & ENVIRONMENTAL REVIEW, STAFF REPORT & DECISION

Form DS1401 PLD



Project Name: TALBOT ESTATES

Case Number: PLD2009-00017; SEP2009-00034; GEO2009-00010

Location: 34900 NE Taylor Valley Road

Request: The applicant is requesting to short plat 19.8 acres into two single-family residential lots located in the R-10 zone district.

Applicant/Owner: Tom & Debbie Talbot
10516 NW 26th Avenue
Vancouver, WA 98685
(360)573-5049; (360)573-1910 fax

Contact Person: Joe Talbot
2113 NE 87th Avenue
Vancouver, WA 98664
(360)901-0946; (360)573-1910 fax
joetalbot@comcast.net

DECISION

Approve subject to Conditions of Approval

Team Leader's Initials: ATG **Date Issued:** July 23, 2009

County Review Staff:

	<u>Name</u>	<u>Phone Ext.</u>	<u>E-mail Address</u>
Team Leader:	Travis Goddard	4180	Travis.goddard@clark.wa.gov
Planner:	Terri Brooks	4885	Terri.brooks@clark.wa.gov
Habitat Biologist:	Dave Howe	4598	David.Howe@clark.wa.gov

Wetland Biologist:	Brent Davis	4152	Brent.Davis@clark.wa.gov
Engineer Supervisor: (Trans. & Stormwater):	Sue Stepan P.E.	4102	sue.stepan@clark.wa.gov
Engineer (Trans. & Stormwater):	Brad Hazen	4346	Brad.hazen@clark.wa.gov
Fire Marshal Office	Tom Scott	3323	tom.scott@clark.wa.gov

Comp Plan Designation: Rural-10

Parcel Number(s): Tax lot 12 (266120-000) located in the southwest quarter of Section 31, Township 5 North, Range 2 East of the Willamette Meridian

Applicable Laws:

Clark County Code (CCC) Clark County Code Title 14 (Buildings and Structures), 15.12 (Fire Code); 40.4 (Critical Areas), 40.350 (Transportation & Circulation); 40.210 (Rural and Resource Residential Zoning Districts), 40.370.010 (Sewer); 40.370.020 (Water Supply); 40.380 (Stormwater and Erosion Control); 40.5 (Procedures); 40.510.020 (Type II Process); 40.540.030 (Short Plats); Section 40.350.020 (Transportation Concurrence), 40.610 & 40.620 (Impact Fees) 40.570 (SEPA); RCW 58.17 (State Platting Laws) and the Clark County Comprehensive Plan.

Neighborhood Association/Contact:

Neighborhood Advisory Council of Clark County (NACCC) Art Stubbs, Vice Chair; 6804 NE 86th Court; Vancouver, WA 98662; sixsplus8@aol.com

Vesting:

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on October 23, 2008. The pre-application was determined not contingently vested.

The fully complete application was submitted on April 29, 2009 and determined to be fully complete on May 6, 2009. Given these facts, the application is vested on April 29, 2009. There are no disputes regarding vesting.

Time Limits:

The application was determined to be fully complete on May 6, 2009. Therefore, the County Code requirement for issuing a decision within 78 days lapses on July 23, 2009.

Public Notice:

Notice of application and likely SEPA Determination of Non-Significance (DNS) was mailed to the applicant, NACCC and property owners within 500 feet of the site on May 19, 2009. This site is not located within the boundaries of a recognized neighborhood association.

Public Comments:

There were no public comments on this proposal.

Project Overview

The site is located on the west side of NE Taylor Valley Road about ½ mile north of NE 339th Street and about 2 ½ miles east of La Center. The front of the site contains gentle slopes and about mid-way the slopes get steeper. The steepest slopes are along two un-named creeks on the site. There is a home being constructed on the western portion of the site which is proposed lot 1. The property has previously been used for agriculture and is currently being changed over to timberland uses.

Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	R-10	R-10	Residential and timberland
North	FR-2	FR-40	Residential and agriculture
East	R-10	R-10	Residential
South	R-10	R-10	Residential and agriculture
West	R-10	R-10	Residential and timberland

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|---------------------------------|--|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation |
| 7. Environmental Health | 15. Public Services |
| 8. Land and Shoreline Use | 16. Utilities |

Staff then reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues:

Only the major issues, errors in the development proposal, or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements and, therefore, are not discussed below.

LAND USE:

Finding 1 Development Standards

CCC 40.210.020(C) contains the lot standards for the R-10 zone. The minimum lot area is ten acres and the minimum lot width is 330 feet. CCC 40.200.040, c, 2 allows one lot within a proposed short plat to be considered in compliance with the minimum lot area requirements if it is within ten percent (10%) of the required lot area for the zone. Lot 1 is proposed to be 10 acres and lot 2 will be within 10% at 9.8 acres. (See Condition #D-1)

The lot width is measured at the building setback line. The front lot line is that from which access is taken. The proposal complies with the lot area standards but lot 1 does not comply with the lot width standards as it is about 280 feet in width along the line where access is taken (east line) and the home is located. That can be easily revised so that the lot will meet the lot width standard. (See Condition D-2)

The applicable setbacks for structures in the R-10 zone, in accordance with Table 40.210.020-3, are as follows:

- Front – 50 feet
- Side – 20 feet (50 feet for agriculture buildings)
- Rear – 20 feet (50 feet for agriculture buildings)

The existing structure appears to be in compliance with applicable setbacks.

The minimum building separation is 8 feet, and the maximum building height for residential buildings is 35 feet. Compliance with setbacks, building height, and separation standards will be reviewed in conjunction with the building permit.

Finding 2 Landscaping

A 50-foot landscape buffer with plantings meeting the L3 standard is required along the east property boundary abutting the Resource zoned property, in accordance with CCC 40.320.010. The L3 standard requires enough high shrubs to form a screen six feet high and 95% opaque year-around, plus one tree per 30 lineal feet of buffer.

The preliminary plat map shows a 50 foot wide area to be used for the landscaping and a note stating what vegetation the L-3 landscape requires, but no landscape plan. Per CCC 40.510.050-1, a landscape plan must contain the following information: species of plants, location, number, size at time of planting and spacing of the proposed plant materials. A landscape plan meeting those requirements will need to be submitted and approved and the landscaping planted prior to final plat approval. (See Conditions D-3 and D-4)

Conclusion (Land Use):

Staff concludes that the proposed preliminary plan, subject to conditions identified above, meets the land use requirements of the Clark County Code.

ARCHAEOLOGY:

Finding 1

The applicant had an archaeological pre-determination study performed for the property and submitted it to the Department of Historical Preservation (DAHP). DAHP reviewed the study and agreed that no additional archeological work was needed.

Conclusion (Archaeology):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the archaeology requirements of the Clark County Code.

HABITAT:

Finding 1

Lockwood Creek and a tributary flow through the property. Both creeks are Department of Natural Resources (DNR) type F (fish-bearing) streams in this location. According to Title 40.440.010(C)(1)(a), a DNR type F watercourse requires a 200-foot riparian Habitat Conservation Zone (HCZ) in order to protect fish and wildlife habitat. The riparian HCZ extends 200' horizontally outward from the ordinary high water mark.

Finding 2

That applicant has proposed building envelopes that are outside of the riparian HCZ on the site. The proposed building envelopes comply with the exemption criterion identified in Table 40.440.010-1, row 2 of the Habitat Conservation Ordinance. Furthermore, no site distance vegetation clearing is proposed along Taylor Valley Road within the 200' riparian HCZ. (See Condition D-5)

Conclusion (Habitat):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the habitat requirements of the Clark County Code.

GEO-HAZARD:

Due to the fact there are slopes over 15% on the site a geo hazard permit was required for this application. The applicant has submitted a geotechnical assessment letter for

this site and staff concurs with the assessment. Future construction will need to comply with the geotechnical assessments recommendations.

Conclusion (Geo-Hazard):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the geo-hazard requirements of the Clark County Code. (See Condition #D-9-d)

TRANSPORTATION:

Finding 1 - Sight Distance

The joint driveway sight distance for lot 1 and 2 shall be at least 500 feet in both directions measured 15 feet back of travel lane. Note that lot 2's existing driveway sight distance does not meet the 500 feet in each direction. Due to the fact this is a new land use application the applicant is responsible to remove all obstructions within the 500 foot sight distance triangles for both lots driveway. The other option, the one this proposal is pursuing, is to move the driveway to a place where the 500 foot sight distance can be met.

The applicant's engineer has certified the new driveway location meets sight distance requirements of 500 feet. No other conditions are warranted for this issue.

Finding 2 - Driveway Pave backs:

The approved joint driveway entrance to this site shall be paved back a minimum of 20 feet from the edge of roadway or to the edge of right-of-way which ever is greater and shall comply with standard drawing F20. (See Condition D-10)

Finding 3 - Right of way dedication:

Half width dedication for right of way along NE Taylor Valley Road is 25 feet, therefore a minimum 25 foot half width shall be dedicated prior to final plat. (See Condition D-11)

Finding 4 - Joint Driveway easement:

Minimum joint driveway easements are 20 feet in width. Therefore the applicant shall establish a minimum 20 foot joint driveway easement over lot 2 for lot 1. (See condition D-12)

Conclusion (Transportation):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the transportation requirements of the Clark County Code.

STORMWATER:

Land use projects that meet the eligibility requirements of CCC 40.260.110(B)(1) and create less than 5000 square feet of new impervious surface are exempt from the stormwater ordinance CCC 40.380.040(B) and CCC 40.380.040(C).

Conclusion (Stormwater):

Engineering staff concurs with the applicant they are under 5,000 square feet of new impervious surface and thus exempt from the stormwater ordinance.

FIRE PROTECTION:**Finding 1 – Fire Marshal Review**

This application was reviewed by Tom Scott in the Fire Marshal's Office. Tom can be reached at (360) 397-2375 x4095 or 3323. Information can be faxed to Tom at (360) 759-6063. Where there are difficulties in meeting these conditions or if additional information is required, contact Tom in the Fire Marshal's office immediately.

Finding 2 – Building Construction

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. (See Condition E-1)

Finding 3 – Fire Flow

Fire flow in the amount of 500 gallons per minute supplied for 30 minutes duration is required for this application. Information from the water purveyor indicates that the required fire flow is available within 1000 feet of the property line. Fire hydrants will be required.

Finding 4 – Fire Hydrants

Fire hydrants are required for this application. The indicated existing fire hydrant is adequate.

Finding 5 - Fire Apparatus Access

The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. Provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus. (See Condition H-2)

Finding 6 – Driveways

New private driveways in excess of three hundred (300) feet in length shall be provided with an approved turnaround at the terminus. Turnouts shall be provided at intervals of five hundred (500) feet or less, such that no portion of the driveway is in excess of three hundred (300) feet from an approved turnaround or turnout. (See Conditions # D-9-e and F-1)

Conclusion (Fire Protection):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the fire protection requirements of the Clark County Code.

WATER & SEWER SERVICE:**Finding 1**

The site has public water available from Clark Public Utilities but the Health Department indicates in the Health Department Evaluation Letter that private individual wells will be used.

Finding 2

The use of septic systems are proposed to serve the site. A "Health Department Evaluation Letter" has been submitted that confirms the Health Department conducted an evaluation of the site and determined that the existing and proposed septic systems are feasible, subject to conditions of approval. (See Conditions D-7 and D-9-c)

Finding 3

When use of wells or septic systems are proposed, the Health Department must sign the final plat prior to submittal to the county for final plat review and recording. (See condition # D-6)

Conclusion (Water & Sewer Service):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the water and sewer service requirements of the Clark County Code.

IMPACT FEES:

Finding 1 Impact Fees

The additional residential lots created by this plat will produce impacts on schools, parks, and traffic, and are subject to School (SIF), Park (PIF), and Traffic Impact Fees (TIF) in accordance with CCC 40.610.

- Rural 2 sub-area with a TIF of \$593.82 per dwelling.
- LaCenter School District, with a SIF of \$6,891.90 per dwelling

TIF is payable prior to issuance of building permits. (See Conditions D-8-b and E-2)

SEPA DETERMINATION

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, require the preparation of an Environmental Impact Statement (EIS);
- **MDNS = Mitigated Determination of Non-Significance** (The impacts can be addressed through conditions of approval); or,
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

The likely SEPA determination of Non-Significance (DNS) in the Notice of Development Review Application issued on May 19, 2009 is hereby final.

SEPA APPEAL PROCESS:

An **appeal** of this SEPA determination and any required mitigation must be filed with the Department of Community Development within fourteen (14) calendar days from the date of this notice. The SEPA appeal fee is **\$1,493**.

A **procedural appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Both the **procedural and substantive appeals** must be filed within fourteen (14) calendar days of this determination. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

SEPA Appeals must be in writing and contain the following information:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. A brief statement describing why the SEPA determination is in error.

The decision of the Hearing Examiner on any SEPA procedural appeal can not be appealed to the Board of County Commissioners, but must pursue judicial review.

Staff Contact Person: Terri Brooks, Planner, (360) 397-2375, ext. 4885
Travis Goddard, Team Leader, (360) 397-2375, ext. 4180

Responsible Official: Michael V. Butts, Development Services Manager

DECISION

Based upon the proposed plan (identified as Exhibit 2) and the findings and conclusions stated above, the Development Services Manager hereby **APPROVES** this request, subject to the following conditions of approval:

CONDITIONS OF APPROVAL

A Final Construction Review for Land Division **Review & Approval Authority: Development Engineering**

Prior to construction, a Final Construction Plan shall be submitted for review and approval, consistent with the approved preliminary plan and the following conditions of approval:

A-1 None

B Prior to Construction of Development **Review & Approval Authority: Development Inspection**

Prior to construction, the following conditions shall be met:

B-1 None

C Provisional Acceptance of Development **Review & Approval Authority: Development Inspection**

Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction plans and the following conditions of approval:

C-1 None

D Final Plat Review & Recording **Review & Approval Authority: Development Engineering**

Prior to final plat approval and recording, the following conditions shall be met:

D-1 One lot shall be a minimum of 10 acres. (See Land Use Finding 1)

D-2 The front (east) lot line of proposed lot 1 shall be widened to 330 feet and this width shall be constant for the area within the building envelope. (See Land Use Finding 1)

- D-3** A landscape plan as described in land use finding 2 and required by CCC 40.510.050-1 shall be submitted and approved. (See Land Use Finding 2)
- D-4 Verification of the Installation of Landscape**
The applicant shall provide verification in accordance with Section 40.320.030(B) that the required landscape has been installed in accordance with the approved landscape plan.
- D-5** The applicant shall clearly show building envelopes and habitat areas on the face of the final plat. Any revisions to the proposed building envelopes will require additional review. (See Habitat Finding 1)
- D-6 Health Department Signature Requirement** - The Health Department is required to sign the final plat.
- D-7 On-Site Water Wells and Sewage System Requirements** - For on-site water wells and sewage system, the following requirements shall be completed:
- a. Small public water systems and individual wells shall be drilled and approved by the Health Department prior to final plat approval;
 - b. A 100-foot radius of protection for any wells shall be shown on the final plat map and be located within the boundaries of the land division;
 - c. The location of all existing wells (in use, not in use or abandoned) shall be indicated on the final plat map;
 - d. Each on-site sewage system shall be on the same lot it serves;
 - e. Test hole locations corresponding to the designated treatment sites shall be surveyed and indicated on the final plat map;
 - f. No public or private easements or rights-of-way shall be extended through the approved, reserve or existing on-site sewage system sites;
 - g. Provisions shall be made to prevent flow or accumulation of surface water over the area where an on-site sewage system is located;
 - h. A copy of the County approved final drainage plan shall be submitted for review; and,
 - i. All proposed lots shall have a current approved septic system site evaluation or septic system permit. Should either be allowed to expire, subsequent approval of an on-site sewage treatment system cannot be assured and, therefore, the Health Department will not sign the final plat.
- D-8 Developer Covenant** – A “Developer Covenant to Clark County” shall be submitted for recording to include the following:
- a. Land Near Agricultural, Forest or Mineral Resources: Land owners and residents are hereby notified that this plat is located within 500 feet of lands zoned agriculture-wildlife (AG-WL), agriculture (AG-20), forest (FR-40, FR-80), or surface mining (S), or in current use under Revised Code of Washington (RCW) Chapter 84.34. Therefore, the subject property is within or near designated agricultural land, forest land or mineral resource land (as applicable) on which a variety of commercial activities may occur

that are not compatible with residential development for certain periods of limited duration. Potential discomforts or inconveniences may include, but are not limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft) during any twenty-four (24) hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides.

- b. Impact Fees: "In accordance with CCC 40.610, the School and Traffic Impact Fees for each dwelling in this subdivision are: \$ 6891.90 (LaCenter School District), and \$593.82 (Rural 2 TIF sub-area) respectively. The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated _____, and expiring on _____. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedule."

D-9 Plat Notes - The following notes shall be placed on the final plat:

- a. Archaeological (all plats): "If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."
- b. Building Envelope Note: If any development activity or ground disturbance occurs outside of the building envelopes represented on the final plat, an additional archaeological predetermination survey will be required for the area impacted.
- c. Septic Systems: "The approved, initial, reserve, and/or existing sewage system sites shall be protected from damage due to development. All sites shall be maintained so they are free from encroachment by buildings and not be subject to vehicular traffic or other activity which would adversely affect the site or system function."
- d. Geologic Hazard: "Recommendations identified in the geotechnical report dated March 23, 2009 and prepared for this plat shall be complied with unless further studies present new or different facts. This report was signed and stamped by Byron Woltersdorf, PE."
- e. "New private driveways in excess of three hundred (300) feet in length shall be provided with an approved turnaround at the terminus. Turnouts shall be provided at intervals of five hundred (500) feet or less, such that no portion of the driveway is in excess of three hundred (300) feet from an approved turnaround or turnout." (See Fire Protection Finding 6)

- D-10** The new joint driveway entrance to this site shall be paved back a minimum 20 feet from the edge of roadway or to the edge of right-of-way which ever is greater and shall comply with standard drawing F20. The existing north joint driveway shall be removed from the County Right-of-Way. (See Transportation Finding 2)
- D-11** A minimum 25 foot half width right-of-way shall be dedicated prior to final plat along Taylor Valley Road. (See Transportation Finding 3)
- D-12** A minimum of a 20 foot wide joint driveway easement shall be established over lot 2 for lot 1 access. (See Transportation Finding 4)
- D-13** Excavation and Grading - Excavation/grading shall be performed in compliance with CCC 14.07.

E	Building Permits
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	Review & Approval Authority: Customer Service
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Prior to issuance of a building permit, the following conditions shall be met:

- E-1** Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process.
- E-2 Impact Fees** - The applicant shall pay impact fees based on the number of dwelling units in the building, as follows:
 - a. \$6891.90 per dwelling for School Impact Fees (LaCenter School Dist.)
 - b. \$593.82 per dwelling for Traffic Impact Fees (Rural 2 TIF Sub-area)

If the building permit application is made more than three years following the date of preliminary land division plan approval, the impact fees shall be recalculated according to the then-current rate.

- E-3** Excavation and Grading - Excavation/grading shall be performed in compliance with CCC 14.07.

F	Occupancy Permits
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	Review & Approval Authority: Building
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Prior to issuance of an occupancy permit, the following conditions shall be met:

- F-1** New private driveways in excess of three hundred (300) feet in length shall be provided with an approved turnaround at the terminus. Turnouts shall be provided at intervals of five hundred (500) feet or less, such that no portion of the driveway is in excess of three hundred (300) feet from an approved turnaround or turnout.

G	Development Review Timelines & Advisory Information Review & Approval Authority: None - Advisory to Applicant
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G-1 Land Division - Within 5 years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

G-2 Department of Ecology Permit for Construction Stormwater - A permit from the Department of Ecology (DOE) is required If:

- The construction project disturbs one or more acres of land through clearing, grading, excavating, or stockpiling of fill material; **AND**
- There is a possibility that stormwater could run off the development site during construction and into surface waters or conveyance systems leading to surface waters of the state.

The cumulative acreage of the entire project whether in a single or in a multiphase project will count toward the one acre threshold. This applies even if the applicant is responsible for only a small portion [less than one acre] of the larger project planned over time. **The applicant shall Contact the DOE for further information.**

G-3 Building and Fire Safety

Building and Fire, Life, and Safety requirements must be addressed through specific approvals and permits. This decision may reference general and specific items related to structures and fire, life, and safety conditions, but they are only for reference in regards to land use conditions. It is the responsibility of the owner, agent, tenant, or applicant to insure that Building Safety and Fire Marshal requirements are in compliance or brought into compliance. Land use decisions do not waive any building or fire code requirements.

H	Post Development Requirements Review & Approval Authority: As specified below
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H-1 The required 50 foot landscape buffer along the north property line shall be maintained until the zoning on the northerly abutting parcel is removed from resource zoning. (See Land Use Finding 2)

H-2 The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. Provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus. (See Fire Protection Finding 5)

Note: The Development Services Manager reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.

Note: The Development Services Manager reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.

Decision Appeal Process:

An **appeal** of any aspect of this decision may be appealed to the County Hearing Examiner only by a party of record. A "Party of Record" includes the applicant and those individuals who submitted written testimony to the Development Service Manager within the designated comment period.

The appeal shall be filed with the Department of Community Development, Permit Services Center, 1300 Franklin Street, Vancouver, Washington, 98668, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This decision was mailed on July 23, 2009. Therefore any appeal must be received in this office by August 6, 2009.

Any appeal of the final land use decisions shall be in writing and contain the following:

- Case number designated by the County;
- Name of the applicant;
- Name of each petitioner;
- Signature of each petitioner or his or her duly authorized representative;
- A statement showing the following:
 - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H);
 - The specific aspect(s) of the decision being appealed;
 - The reasons why each aspect is in error as a matter of fact or law;
 - The evidence relied on to prove the error; and,
- The appeal fee of **\$5,240**.

Ninety percent (90%) of the fee will be refunded if the appeal is withdrawn in writing by the petitioner at least 15 calendar days before the public meeting to consider the appeal.

Attachments:

- Copy of Proposed Preliminary Plan

A copy of the approved preliminary plan, SEPA Checklist and Clark County Code are available for review at:

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:
Web Page at: <http://www.clark.wa.gov>

Final Decision Attachment

For Employee Use Only -This is not part of the decision, but rather an attachment for processing purposes only.

Final Plans Required with Construction Plans	YES	NO
Final Landscape Plan:		
-On-site landscape plan	✓	
-Right-of-way landscape plan*		✓
Final Wetland Plan		✓
Final Habitat Plan		✓

*Final right-of-way landscape plan required for projects fronting on arterial and collector streets.

Note: If final plan submittals are required, list each plan under Case Notes in Permit Plan for future reference.

TOM AND DEBBIE TALBOT
10516 NW 26TH AVE VANCOUVER WA 98685
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PROPOSED SHORT PLAT PLAN

CONTACT PERSON- JOE TALBOT
2113 NE 87TH AVE VANCOUVER WA 98664
joetalbot@comcast.net
CELL (360)901-0946

TALBOT ESTATES

A PORTION OF THE NE 1/4 OF THE SW 1/4 OF SECTION 31,
TOWNSHIP 5 NORTH, RANGE 3 EAST W.M.
CLARK COUNTY, WASHINGTON
PARCEL # 266120-000

TOTAL LAND AREA: 19.8 ACRES
NEW IMPERVIOUS AREA: 4,789 SQUARE FEET

5/7/09
SCALE: 1" = 100'



